



New York, New York University, Bobst Library, Special Collections, Fragment 081

Description: f. 1 - Not bound. - This collection of English binding fragments was given to NYU by Homer Lewis Bartlett (1858-1940), who graduated in 1884 from NYU with a degree in Science and Civil Engineering; he married Clarice Sherman Noble in 1892; they had five children; by 1902, he was second vice-president of the Eastern District Savings Bank. De Ricci states that the collection (of 101 fragments with 70 others laid into the album) was given to NYU in 1884 (the same year in which Homer L. Bartlett graduated). - De Ricci, p. 1346

Number of Parts: 1 - *Number of Images Available:* 0

Direct Link: http://ds.lib.berkeley.edu/Fragment081_25

Language: Latin *Century:* 14th

Part 1: f. 1r-v

Description: - Parchment - 292 x 198

Country:

Cardinal point:

Region:

City:

Assigned Date: s. XIV

Searchable Date Range: 1300 - 1399

Dated by scribe: No

Inscribed Date:

Document: No

Number of Scribes: ;

Script: Gothic

Other Decoration: Initials in blue on the main text and in the gloss.

Notes: Tironian sevens in the text are not crossed, but those in the noting hand are; Elefantenrüssel on the initial I in the noting hand on the recto; in upper right (outer) margin, in a modern hand, "Treatise on aqueducts." Note spelling "set" which is associated only (?) with England (end of verso, col. A and again at beg. of col. B).

Number of Texts: 1

Text 1:

Author: Justinian

Title: Digest

Language(s): Latin

Incipit: //una die an recte et sine captione possessoris recte duxisse videatur ut hoc interdictum locum habeat? Ait enim pretor uti hoc anno aquam duxisti

Explicit: Lutio titio ex fundo vel fonte meo utri aquam duceret cessi. Quesitum est an et mevio cedere//

Notes: Contains: Justinian, Digest, 43.20.0, De aqua cottidiana et aestiva. Theodore Mommsen, ed., and Paul Krueger, rev., available online at <http://droitromain.upmf-grenoble.fr/>. recto left: //una die an recte et sine captione possessoris recte duxisse videatur ut hoc interdictum locum habeat? Ait enim pretor uti hoc anno aquam duxisti . . . Labeo putat per hoc interdictum prohiberi quem ne quid in illo fundo faciat, fodiate, ferat suc[-cidat]// D.43.20.1, 22-27 recto right: //precario ab illo duxisti quo minus ita ducas vim fieri veto. Inter heredes et emptores et bonorum possessores interdictam. Hoc interdictum de aqua estiva proponitur . . . Ait pretor inter heredes et emptores et bonorum possessores // D.43.20.1, 29-37 verso left: //veto, quandoque de opere faciendo interdictum erit dampni infecti causam [corrected above the line to: caveri] iubebo. Hoc interdictum necessio propositum est, nam quia superiora interdicta ad eos pertinent qui a capite ducunt . . . nec est hoc beneficium set iniuria si quis forte non impetraverit. Meminisse autem debemus in hoc// D.43.20.1, 38-44. verso right: //Hoc iure utimur ut non solum ad irrigandum set peccoris causa vel amenitatis aqua duci possit, ex flumine aquam ducere plures possunt ita tamen ut vicinis non noceant . . . Lutio titio ex fundo vel fonte meo utri aquam duceret cessi. Quesitum est an et mevio cedere// D.43.20.3, 1-6 and 43.20.4, beginning only.